

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No.: 10/612,968

Attorney Docket No.: Q76146

REMARKS

This response is believed to be fully responsive to each point of objection/rejection raised in the Office Action of May 27, 2004. New dependent claim 30 is herein added to recite a variation of Applicant's invention. The features included in new claim 30 derive from Figure 9 of the originally filed application, for instance, and therefore no new matter is added by entry of this claim. Reconsideration is respectfully requested for presently pending claims 21 - 25 and 30.

I. 35 U.S.C. § 102 Rejections

Claims 21, 23, and 25 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by JP 35700697A to Kimura. In response, Applicant asserts that the Kimura reference is at least deficient for failing to teach or suggest certain features of independent claim 21, including the subject matter of the "first mark defining a transport direction to the printing device." Positive features of Applicant's first mark (in contrast to Kimura) includes the first mark preventing the bag from being printed when placed front-side back or upside down.

Further as to claim 25, this claim recites that the bag is transferred while preventing the folded part from contacting the print head, thus allowing the printing content to be stably printed.

In brief, none of the features incorporated by this amendment into Claims 21 and 25 are taught or suggested by the Kimura reference. Independent claims 21 and 25 are therefore patentable, as is dependent claim 23 (at least by virtue of its dependency upon claim 21).

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II. 35 U.S.C. § 103 Rejections

Claims 22 and 24 are rejected under 35 U.S.C. § 103 as allegedly being obvious in view of the Kimura reference, and the same claims are also rejected as allegedly being obvious in view of the Kimura reference and WO 99/49408 to Buinevicius. In response, dependent claims 22 and 24 are asserted as patentable at least because the claims include all of the features of independent claim 21 (by virtue of their ultimate dependency upon independent claim 21).

For an obviousness rejection to be proper, all of the features of the claims must be taught or suggested by the prior art, and in the instant case the Kimura reference is deficient as explained in Part I of this paper. Notably, the Buinevicius reference fails to cure Kimura's deficiencies

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: September 10, 2004

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this AMENDMENT UNDER 37 C.F.R. § 1.111 is being facsimile transmitted to the U.S. Patent and Trademark Office this 10th of day September, 2004.


Sanae Kusakabe